

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOSHUA W. SEYFARTH,

Plaintiff,

v.

OFFICER HAHN, et al.,

Defendants.

No. 4:18-cv-00805-JAR

MEMORANDUM AND ORDER

This matter comes before the Court on its own motion. On October 24, 2018, the Court ordered defendant Officer Hahn to be served in his individual capacity as to plaintiff's claims of excessive force and unlawful arrest under the Fourth Amendment, as well as plaintiff's state law claims of false arrest, malicious prosecution, assault and battery, civil conspiracy, and intentional infliction of emotional distress. (Docket No. 5). Summons was issued that same day. (Docket No. 7). On November 2, 2018, the summons was returned executed on Officer Hahn. (Docket No. 10). According to the return, Officer Hahn was served at his place of employment at the St. Francois County Sheriff's Office. The summons was left with Sergeant Hardy White of the St. Francois County Sheriff's Department.

As of this date, defendant Hahn has not answered the complaint and no one has entered an appearance on his behalf. Therefore, under these circumstances, the Court will direct the Clerk of Court to reissue process on defendant Hahn. The Court will further order the United States Marshals Service to personally deliver the summons to Officer Hahn at the St. Francois County Sheriff's Office, rather than leaving the summons with any third party.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall issue process or cause process to issue upon defendant Hahn in his individual capacity as to plaintiff's claims of excessive force and unlawful arrest under the Fourth Amendment, as well as plaintiff's state law claims of false arrest, malicious prosecution, assault and battery, civil conspiracy, and intentional infliction of emotional distress.

IT IS FURTHER ORDERED that the United States Marshalls Service shall personally deliver the summons to Officer Hahn at the St. Francois County Sheriff's Office.

Dated this 11th day of February, 2019.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE